

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN COOPER,	)	
	)	2:06cv1332
Petitioner	)	Electronic Filing
	)	
vs.	)	
	)	Judge Cercone
PA STATE ATTORNEY GENERAL,	)	Magistrate Judge Hay
	)	
Respondent	)	

**MEMORANDUM ORDER**

AND NOW, this 28 day of August, 2007, after the Petitioner, John Cooper, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and petitioner having filed objections which are without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the petition for writ of habeas corpus brought under 28 U.S.C. Section 2254 is dismissed before service pursuant to Rule 4 of the Rules Governing Section 2254 Petitions.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the Petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



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DAVID STEWART CERCONI  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

John Cooper  
AF-7021  
SCI Frackville  
1111 Altamont Boulevard  
Frackville, PA 17931